

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Timothy Tyrone Horton

Docket No. 5:08-CR-60-1F

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Timothy Tyrone Horton, who, upon an earlier plea of guilty to Possession of a Firearm and Ammunition by a Felon, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on December 14, 2010, to the custody of the Bureau of Prisons for a term of life. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On September 30, 2016, the defendant's period of imprisonment was reduced to 120 months.

Timothy Tyrone Horton was released from custody on October 6, 2016, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On December 15, 2016, the defendant tested positive for the use of marijuana. When confronted with his use, the defendant explained that he was dealing with some difficult circumstances in his personal life and chose to use marijuana as an outlet. Mr. Horton has acknowledged he made a mistake. He was previously referred to substance abuse treatment and was placed in the Surprise Urinalysis Program. Mr. Horton has also acknowledged having problems with his adjustment back into the community following his release from prison, and he has participated in mental health counseling. The probation officer discussed the HOPE Program (re-entry court) with the defendant, as well as participation in a cognitive behavioral program. Mr. Horton decided against voluntarily participating in the HOPE Program at this time, but he is willing to participate in a cognitive behavioral program in an effort to explore how the defendant thinks, how to make judgments about what is right and wrong, and to assist the defendant in making realistic goals to be successful. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller

Jeffrey L. Keller

Supervising U.S. Probation Officer

/s/ Scott Plaster

Scott Plaster

U.S. Probation Officer

310 New Bern Avenue, Room 610

Raleigh, NC 27601-1441

Phone: 919-861-8808

Executed On: February 2, 2017

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ORDER OF THE COURT

Considered and ordered this 2 day of February, 2017, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge